

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND  
6500 CHERRYWOOD LANE  
GREENBELT, MARYLAND 20770

Peter J. Messitte  
Judge

(301) 344-0632

M E M O R A N D U M

FILED 8/24/2000  
LOGGED RECEIVED

To: Counsel of Record  
From: Judge Peter J. Messitte  
RE: Mill Pond v. Bank of New York  
Civil No. PJM 98-1050  
Date: August 24, 2000

AUG 25 2000

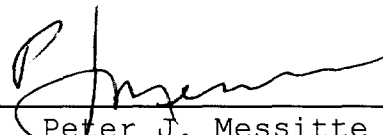
AT GREENBELT  
CLERK U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
BY *tl* DEPUTY

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The Court has received Bank of New York's ("BNY") Notice of Voluntary Dismissal of its Counterclaims, Mill Pond's Response to a voluntary dismissal, and BNY's Reply. The Court will **DEFER** on determining whether voluntary dismissal of the counterclaims is appropriate until after hearing oral argument on the matter.

There is a hearing set to consider issues presented by the Transfer Agreement set for October 2, 2000 at 11:00 a.m. At that time, the Court will also consider the issue of BNY's Notice of Voluntary Dismissal.

Despite the informal nature of this ruling, it constitutes an Order of the Court and the Clerk shall docket it accordingly.

  
Peter J. Messitte  
United States District Judge

cc: Court File

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